

April 14, 1975

SENATOR MARVEL: In other words, as far as I know, they operate on a day by day basis.

SENATOR CHAMBERS: Is there an agreement between this individual and the state with reference to the amount of salary?

SENATOR MARVEL: Through the Boards involved, yes sir.

SENATOR CHAMBERS: Senator Marvel, how are salaries generally set for executive officers? Are any of them set by statute?

SENATOR MARVEL: Some of them are set by statute. Some of them are set by Constitution. In other words, some of the salaries of the officers of the Supreme Court, for instance, are constitutionally set by the Court. At least, we are told this. We argue this point but we are told by the Court Administrator that the Court has the right to set the Court's employees salaries regardless of what the Legislature wants to do about it. Others are set by statute. Some are set in an appropriations bill.

SENATOR CHAMBERS: Senator Marvel, as a general principle, as a general principle, when a salary is set, can that salary be reduced during the term of office of that individual? Or the term of tenure of that individual?

SENATOR MARVEL: Yes. I am not certain...are you talking generally now. Can you give me some idea of the point you are trying to get at. I will try to...I am not trying to jump around but the fact of the matter is that when you talk about salaries, we have about a half a dozen different formulas and different approaches set up.

SENATOR CHAMBERS: Let's take the Director of Institutions. Who would be required to draw up a budget for the Department of Institutions?

SENATOR MARVEL: The Department of Institutions? Well, first of all, since it is a code department, basically, even though the Director of Institutions has the ultimate responsibility, the code department would often be told by the Chief Executive what kind of a budget to draw.

SENATOR CHAMBERS: All right but let's identify an individual. Could we say the Director of Institutions...

SENATOR MARVEL: Jack Cleavenger is the present Acting Director of Institutions.

SENATOR CHAMBERS: All right. Now is the salary of the Director of Institutions set by statute or is it from year to year or whatever the (inaudible) is.

SENATOR MARVEL: Year to year, it is set by the Governor.

SENATOR CHAMBERS: Now if the Governor has the authority to set the salary for a year, does the Legislature have the right to pass a law that would cut that salary before the year has expired?

SENATOR MARVEL: I think so.